

Amendment No. 1 to HB2415

Curcio
Signature of Sponsor

AMEND Senate Bill No. 2131*

House Bill No. 2415

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-308, is amended by deleting subdivision (c)(1) and substituting:

(1) Except as provided in subsection (d), a violation of subsection (a) is a Class A misdemeanor and, in addition to other punishment authorized by § 40-35-111, shall be punished by a mandatory minimum fine of one thousand dollars (\$1,000).

SECTION 2. Tennessee Code Annotated, Section 39-17-315, is amended by deleting subdivision (b)(2) and substituting:

(2) Stalking is a Class A misdemeanor and, in addition to other punishment authorized by § 40-35-111, shall be punished by a mandatory minimum fine of two thousand dollars (\$2,000).

SECTION 3. Tennessee Code Annotated, Section 39-17-315, is amended by deleting subsection (b)(3) and substituting:

(3) Stalking is a Class E felony if the defendant, at the time of the offense, was required to or was registered with the Tennessee bureau of investigation as a sexual offender, violent sexual offender, or violent juvenile sexual offender, as defined in § 40-39-202, and, in addition to other punishment authorized by § 40-35-111, shall be punished by a mandatory minimum fine of two thousand dollars (\$2,000).

SECTION 4. Tennessee Code Annotated, Section 39-17-315, is amended by deleting subdivision (c)(2) and substituting:

(2) Aggravated stalking is a Class E felony and, in addition to other punishment authorized by § 40-35-111, shall be punished by a mandatory minimum fine of two thousand five hundred dollars (\$2,500).

SECTION 5. Tennessee Code Annotated, Section 37-1-131, is amended by adding the following as a new subsection:

() Notwithstanding this section to the contrary, the court has broad discretion to issue orders and provide sanctions to a child who has been adjudicated delinquent for an act that, if committed by an adult, would constitute the offense of harassment, under § 39-17-308; stalking, under § 39-17-315; or aggravated stalking, under § 39-17-315, to perform a minimum of twelve (12) hours of community service work in accordance with subdivision (a)(7). If a child has been adjudicated delinquent a second or subsequent time for an act that, if committed by an adult, would constitute the offense of harassment, under § 39-17-308; stalking, under § 39-17-315; or aggravated stalking, under § 39-17-315, then the court has broad discretion to issue orders and provide sanctions with a minimum of forty (40) hours of community service work in accordance with subdivision (a)(7).

SECTION 6. This act takes effect July 1, 2022, the public welfare requiring it.